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16 AUG 2007

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO TX 75024

In re Application of	:	
KARLSSON	:	
Application No.: 10/596,749	:	NOTIFICATION
PCT No.: PCT/SE2003/002084	:	
Int. Filing Date: 23 December 2003	:	
Priority Date: None	:	
Attorney's Docket No.: P18687-US1	:	
For: A METHOD AND SYSTEM FOR	:	
RATING NOTIFICATION	:	

This notification is in response to applicant's submission filed 30 May 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 23 December 2003, applicant filed international application PCT/SE2003/002084, which designated the U.S. and did not claim a priority date. A copy of the international application was communicated to the USPTO from the International Bureau on 07 July 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 23 June 2006.

On 22 June 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a copy of a declaration filed in the international application under PCT Rule 4.17(iv).

On 02 April 2007, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that a declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) were required.

On 30 May 2007, applicant filed the instant submission which was accompanied by, *inter alia*, a copy of the declaration under PCT Rule 4.17(iv).

DISCUSSION

The copy of the declaration under PCT Rule 4.17(iv) filed 22 June 2006 was not in compliance with 37 CFR 1.497(a)-(b) because it did not identify the application to which it was

directed. Attention is directed to the instructions in the Request (Form PCT/RO/101) for Box No. VIII(iv) which state that where “**the declaration** was not included in the request, but is **furnished later**, the PCT application number **MUST** be indicated within the text of Box No. VIII(iv)” (emphasis in original). It appears that the copy of the PCT Rule 4.17 declaration filed 22 June 2006 was not included in the request but was furnished later. (The date of execution is after the international filing date.)


Additionally, the declaration contains non-initialed alterations. 37 CFR 1.52(c). “The Office will not consider whether noninitialed and or nondated alterations were made before or after signing of the oath or declaration but will require a new oath or declaration.” MPEP § 605.04(a), Item I.

CONCLUSION

Applicants are required to file a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) and 37 CFR 1.52(c) and the surcharge under 37 CFR 1.492(h) within a time limit of ONE MONTH from the date of this notification or within the time remaining in the response set forth in the NOTIFICATION mailed 02 April 2007, whichever is longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the NOTIFICATION mailed 02 April 2007 may be extended under 37 CFR 1.136(a).

Failure to timely file a proper reply will result in abandonment of the application.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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